

Pro Se 14 (Rev. 12/16) Complaint for Violation of Civil Rights (Prisoner)

## UNITED STATES DISTRICT COURT

for the

District of NEBRASKA

Division

Case No.

8:25CV380  
(to be filled in by the Clerk's Office)KYE MOSS #2086499

Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-v-

- 1) DOUGLAS COUNTY CORRECTIONS
- 2) DIRECTOR MICHAEL MYERS
- 3) DEPUTY DIRECTOR AMBER REDMOND
- 4) CAPTAIN PATRICK WEST JR.

Defendant(s)

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names. Do not include addresses here.)

FILED  
U.S. DISTRICT COURT  
DISTRICT OF NEBRASKA  
2025 JUN -5 AM 10:46  
OFFICE OF THE CLERK

**COMPLAINT FOR VIOLATION OF CIVIL RIGHTS**  
(Prisoner Complaint)

**NOTICE**

Federal Rules of Civil Procedure 5.2 addresses the privacy and security concerns resulting from public access to electronic court files. Under this rule, papers filed with the court should *not* contain: an individual's full social security number or full birth date; the full name of a person known to be a minor; or a complete financial account number. A filing may include *only*: the last four digits of a social security number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number.

Except as noted in this form, plaintiff need not send exhibits, affidavits, grievance or witness statements, or any other materials to the Clerk's Office with this complaint.

In order for your complaint to be filed, it must be accompanied by the filing fee or an application to proceed in forma pauperis.

**RECEIVED**

JUN 05 2025

CLERK  
U.S. DISTRICT COURT

Pro Se 14 (Rev. 12/16) Complaint for Violation of Civil Rights (Prisoner)

**I. The Parties to This Complaint****A. The Plaintiff(s)**

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name

KYLE MOSS

All other names by which  
you have been known:

ID Number

2086499

Current Institution

DOUGLAS COUNTY CORRECTIONS

Address

710 SOUTH 17TH STREET

OMAHA

NE

68102

City

State

Zip Code

**B. The Defendant(s)**

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. Make sure that the defendant(s) listed below are identical to those contained in the above caption. For an individual defendant, include the person's job or title (*if known*) and check whether you are bringing this complaint against them in their individual capacity or official capacity, or both. Attach additional pages if needed.

**Defendant No. 1**

Name

DOUGLAS COUNTY CORRECTIONS

Job or Title (*if known*)

Shield Number

Employer

DOUGLAS COUNTY CORRECTIONS

Address

710 SOUTH 17TH STREET

OMAHA

NE

68102

City

State

Zip Code

☐ Individual capacity ☒ Official capacity

**Defendant No. 2**

Name

MICHAEL MYERS

Job or Title (*if known*)

DIRECTOR

Shield Number

Employer

DOUGLAS COUNTY CORRECTIONS

Address

710 SOUTH 17TH STREET

OMAHA

NE

68102

City

State

Zip Code

☒ Individual capacity ☐ Official capacity

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## Defendant No. 3

Name

Job or Title (if known)

Shield Number

Employer

Address

AMBER REDMOND  
DEPUTY DIRECTORDOUGLAS COUNTY CORRECTIONS  
710 South 17TH STREET  
OMAHA NE 68102  
City State Zip Code☒ Individual capacity ☐ Official capacity

## Defendant No. 4

Name

Job or Title (if known)

Shield Number

Employer

Address

PATRICK WEST JR.  
CAPTAIN OF SECURITY  
DOUGLAS COUNTY CORRECTIONS  
710 South 17TH STREET  
OMAHA NE 68102  
City State Zip Code☒ Individual capacity ☐ Official capacity

## II. Basis for Jurisdiction

Under 42 U.S.C. § 1983, you may sue state or local officials for the “deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws].” Under *Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics*, 403 U.S. 388 (1971), you may sue federal officials for the violation of certain constitutional rights.

A. Are you bringing suit against (check all that apply):

☐ Federal officials (a *Bivens* claim)☒ State or local officials (a § 1983 claim)

B. Section 1983 allows claims alleging the “deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws].” 42 U.S.C. § 1983. If you are suing under section 1983, what federal constitutional or statutory right(s) do you claim is/are being violated by state or local officials?

MY Due process, rights guaranteed By the Constitution Has  
Been violated since January 3rd, 2025. This is the day I  
WAS Segregated from population ~~AND~~ <sup>WHILE</sup> FORCED TO Fight a Capital  
Charge IN CONFINEMENT WITHOUT A Formal Hearing, A sentence  
ENDING DAY IN CONFINEMENT, or even A disciplinary infraction.

C. Plaintiffs suing under *Bivens* may only recover for the violation of certain constitutional rights. If you are suing under *Bivens*, what constitutional right(s) do you claim is/are being violated by federal officials?

- D. Section 1983 allows defendants to be found liable only when they have acted "under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia." 42 U.S.C. § 1983. If you are suing under section 1983, explain how each defendant acted under color of state or local law. If you are suing under *Bivens*, explain how each defendant acted under color of federal law. Attach additional pages if needed.

(see ATTACHMENT section) II: D

### III. Prisoner Status

Indicate whether you are a prisoner or other confined person as follows (check all that apply):

- ☒ Pretrial detainee
- ☐ Civilly committed detainee
- ☐ Immigration detainee
- ☐ Convicted and sentenced state prisoner
- ☐ Convicted and sentenced federal prisoner
- ☐ Other (explain) \_\_\_\_\_

### IV. Statement of Claim

State as briefly as possible the facts of your case. Describe how each defendant was personally involved in the alleged wrongful action, along with the dates and locations of all relevant events. You may wish to include further details such as the names of other persons involved in the events giving rise to your claims. Do not cite any cases or statutes. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

- A. If the events giving rise to your claim arose outside an institution, describe where and when they arose.

- B. If the events giving rise to your claim arose in an institution, describe where and when they arose.

ON JANUARY 3RD 2025, I WAS PLACED IN CONFINEMENT FOR SECURITY CONCERNS. I WAS TOLD CAPTAIN WEST MADE THE CALL. NO NOTICE NO HEARING, OR OPPORTUNITY TO RESPOND WAS GIVEN TO ME. WEEK AFTER WEEK CAPTAIN WEST JR., DEPUTY DIRECTOR AMBER REDMOND, AND DIRECTOR MYERS RECEIVE UPDATES ON THE CONFINED INDIVIDUALS AND DETERMINE THEIR STATUS. I HAVE BEEN DENIED TO BE RELEASED BEING DEPRIVED OF MY LIBERTY INTEREST.



C. What date and approximate time did the events giving rise to your claim(s) occur?

JANUARY 3<sup>RD</sup>, 2025 1600 HOURS APRX.

D. What are the facts underlying your claim(s)? (For example: What happened to you? Who did what? Was anyone else involved? Who else saw what happened?)

ON JANUARY 3, 2025 @ APRX. 1600 HOURS. I WAS REMOVED FROM MY CELL, STRIPPED SEARCHED, AND PLACED IN THE GYM AREA WHILE MY CELL WAS SEARCHED. THIS LASTED SEVERAL HOURS. AROUND 2000 HOURS I WAS BROUGHT BACK TO MY CELL AND TOLD BY A SERGEANT TO PACK MY BELONGINGS THAT I WAS GOING TO SEGREGATION PENDING ADMINISTRATIVE SEGREGATION PER WATCH COMMANDER. I WASNT GIVEN AN EXPLANATION NOR INTERVIEWED. NO DISCIPLINARY REPORTS, (SEE ATTACHMENT)

V. Injuries If you sustained injuries related to the events alleged above, describe your injuries and state what medical treatment, if any, you required and did or did not receive. (IV: D)

I HAVE ENDURED PSYCHOLOGICAL PAIN AND SUFFERING SUCH AS DEPRESSION AND ANXIETY. I STRESS ABOUT MY CRIMINAL PROCEEDINGS AND ALSO IF ILL EVER BE RELEASED BACK INTO GENERAL POPULATION. I CONSTANTLY WORRY, SLEEP OR <sup>DO NOT</sup> EAT. I HAVE LOSS TREMENDOUS WEIGHT OF OVER 35 POUNDS SINCE ENTERING THE JAIL UNTIL NOW AND HAVE SERIOUS SHOULDER ISSUES FROM LAYING ON MY SIDES. I RECEIVED TYLENOL FOR MY SHOULDER PAINS AND VISITS BY MENTAL HEALTH.

#### VI. Relief

State briefly what you want the court to do for you. Make no legal arguments. Do not cite any cases or statutes. If requesting money damages, include the amounts of any actual damages and/or punitive damages claimed for the acts alleged. Explain the basis for these claims.

Relief #1: TO BE IMMEDIATELY RELEASED FROM CONFINEMENT INTO A NORMAL ATMOSPHERE. GENERAL POPULATION. I POSSE NO RISK TO THE FACILITY AND HAVE BEEN LONG-TERM ISOLATED IN CONFINEMENT.

#2: INJUNCTION RELIEF, TO HAVE PROCEDURES ADDRESSING WHEN HOUSING LONG TERM DETAINEES WITH OR WITHOUT DISCIPLINARY INFRACTIONS. WHICH GIVES DETAINEES HOPE OF BEING HEARD THROUGH HEARINGS AND HOPE TO BE RELEASED OUT OF SOLITARY CONFINEMENT.

#3: TWENTY-FIVE THOUSAND DOLLARS FOR THE PAIN AND SUFFERING. THE LACK OF HUMAN DIGNITY EXPERIENCED. THE TIME ISOLATED WAS EXCESSIVE AND UNWARRANTED. SHOULDER PAIN THAT HAS OVER-TAKEN ME. COURT FEES!

**VII. Exhaustion of Administrative Remedies Administrative Procedures**

The Prison Litigation Reform Act ("PLRA"), 42 U.S.C. § 1997e(a), requires that "[n]o action shall be brought with respect to prison conditions under section 1983 of this title, or any other Federal law, by a prisoner confined in any jail, prison, or other correctional facility until such administrative remedies as are available are exhausted."

Administrative remedies are also known as grievance procedures. Your case may be dismissed if you have not exhausted your administrative remedies.

A. Did your claim(s) arise while you were confined in a jail, prison, or other correctional facility?

- ☒ Yes  
☐ No

If yes, name the jail, prison, or other correctional facility where you were confined at the time of the events giving rise to your claim(s).

Douglas County Corrections

B. Does the jail, prison, or other correctional facility where your claim(s) arose have a grievance procedure?

- ☒ Yes  
☐ No  
☐ Do not know

C. Does the grievance procedure at the jail, prison, or other correctional facility where your claim(s) arose cover some or all of your claims?

- ☐ Yes  
☐ No  
☐ Do not know

If yes, which claim(s)?

\_\_\_\_\_

- D. Did you file a grievance in the jail, prison, or other correctional facility where your claim(s) arose concerning the facts relating to this complaint?

☒ Yes

☐ No

If no, did you file a grievance about the events described in this complaint at any other jail, prison, or other correctional facility?

☐ Yes

☐ No

- E. If you did file a grievance:

1. Where did you file the grievance?

SHIFT SERGEANT, CLASSIFICATIONS, JAIL INTELLIGENCE

2. What did you claim in your grievance?

I CLAIMED MY DUE PROCESS RIGHTS WERE BEING VIOLATED. I WAS BEING SUBJECT TO CRUEL AND UNUSUAL PUNISHMENTS. I REQUESTED TO BE INFORMED ON MY PLACEMENT, TO ATTEND A HEARING, TO BE RELEASED FROM CONFINEMENT.

3. What was the result, if any?

I WAS TOLD I WAS A SECURITY THREAT. I WAS TOLD I WOULD NOT BE ~~LEAVING~~ LEAVING CONFINEMENT!

4. What steps, if any, did you take to appeal that decision? Is the grievance process completed? If not, explain why not. (Describe all efforts to appeal to the highest level of the grievance process.)

I GRIEVED UNTIL THE SERGEANTS MARKED MY COMPLAINT AS NOT A GRIEVANCE. I GRIEVED AS FAR AS POSSIBLE, WHICH USUALLY WAS BLOCKED BY THE DEPARTMENT TO CONTINUE FURTHER AFTER THE FIRST GRIEVANCE.

F. If you did not file a grievance:

1. If there are any reasons why you did not file a grievance, state them here:

2. If you did not file a grievance but you did inform officials of your claim, state who you informed, when and how, and their response, if any:

G. Please set forth any additional information that is relevant to the exhaustion of your administrative remedies.

I'VE WROTE THE STATE OMBUDSMAN. MY LAWYERS  
CONTACTED CERTAIN RANKINGS. THEY NEVER RECEIVED  
CALL BACKS OR EMAIL RESPONSES

(Note: You may attach as exhibits to this complaint any documents related to the exhaustion of your administrative remedies.)

### VIII. Previous Lawsuits

The "three strikes rule" bars a prisoner from bringing a civil action or an appeal in federal court without paying the filing fee if that prisoner has "on three or more prior occasions, while incarcerated or detained in any facility, brought an action or appeal in a court of the United States that was dismissed on the grounds that it is frivolous, malicious, or fails to state a claim upon which relief may be granted, unless the prisoner is under imminent danger of serious physical injury." 28 U.S.C. § 1915(g).

To the best of your knowledge, have you had a case dismissed based on this "three strikes rule"?

☐ Yes

☒ No

If yes, state which court dismissed your case, when this occurred, and attach a copy of the order if possible.



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A. Have you filed other lawsuits in state or federal court dealing with the same facts involved in this action?

☐ Yes

☒ No

B. If your answer to A is yes, describe each lawsuit by answering questions 1 through 7 below. *(If there is more than one lawsuit, describe the additional lawsuits on another page, using the same format.)*

1. Parties to the previous lawsuit

Plaintiff(s) \_\_\_\_\_

Defendant(s) \_\_\_\_\_

2. Court *(if federal court, name the district; if state court, name the county and State)*

\_\_\_\_\_

3. Docket or index number

\_\_\_\_\_

4. Name of Judge assigned to your case

\_\_\_\_\_

5. Approximate date of filing lawsuit

\_\_\_\_\_

6. Is the case still pending?

☐ Yes

☐ No

If no, give the approximate date of disposition. \_\_\_\_\_

7. What was the result of the case? *(For example: Was the case dismissed? Was judgment entered in your favor? Was the case appealed?)*

\_\_\_\_\_

C. Have you filed other lawsuits in state or federal court otherwise relating to the conditions of your imprisonment?

Pro Se 14 (Rev. 12/16) Complaint for Violation of Civil Rights (Prisoner)

☐ Yes☒ No

D. If your answer to C is yes, describe each lawsuit by answering questions 1 through 7 below. *(If there is more than one lawsuit, describe the additional lawsuits on another page, using the same format.)*

1. Parties to the previous lawsuit

Plaintiff(s) \_\_\_\_\_

Defendant(s) \_\_\_\_\_

2. Court *(if federal court, name the district; if state court, name the county and State)*

\_\_\_\_\_

3. Docket or index number

\_\_\_\_\_

4. Name of Judge assigned to your case

\_\_\_\_\_

5. Approximate date of filing lawsuit

\_\_\_\_\_

6. Is the case still pending?

☐ Yes

☐ No

If no, give the approximate date of disposition \_\_\_\_\_

7. What was the result of the case? *(For example: Was the case dismissed? Was judgment entered in your favor? Was the case appealed?)*

\_\_\_\_\_

Pro Se 14 (Rev. 12/16) Complaint for Violation of Civil Rights (Prisoner)

**IX. Certification and Closing**

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

**A. For Parties Without an Attorney**

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: 5-23-25

Signature of Plaintiff

Printed Name of Plaintiff

Prison Identification #

Prison Address

Kyt Moss  
Kyt Moss  
2086499  
DOUGLAS COUNTY CORRECTIONS 710 S. 17TH ST  
OMAHA NE 68102  
City State Zip Code

**B. For Attorneys**

Date of signing: \_\_\_\_\_

Signature of Attorney

Printed Name of Attorney

Bar Number

Name of Law Firm

Address

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
City State Zip Code

Telephone Number

E-mail Address

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

ATTACHMENTSII. BASIS FOR JURISDICTION

D. CONTINUED FROM PAGE FOUR ...

While held as a Pre-trial Detainee in Douglas County Corrections, Officers were ordered to search my cell and place me in Solitary Confinement per Captain Patrick West Jr. No Notice or Opportunity to be heard by an impartial Tribunal before suffering a Burden under Law. Not even an explanation was given to me for my transfer out of General Population into Confinement. ~~was~~ Not once have I received a hearing on any infraction I abused that warrants long-term confinement. I have been deprived of my Fourteenth Amendment Guaranty that I will not suffer a Burden by unfair procedure under Law. Captain Patrick West Jr. has deprived me of Liberty Interest and my Property Interest while violating the Constitution of Procedural Due Process for every individual.

Deputy Director Amber Redmond, is Captain Patrick West Jr.'s superior who oversees his duties and also the operations and procedures of Douglas County Corrections Facility. She has failed her duties to protect my Liberty Interest I am guaranteed by the Fourteenth Amendment Due Process Clause. She received weekly updates on the confined detainees housed in Segregation. She has failed to allow me a hearing or notice or chance to be heard.



DIRECTOR Michael Myers oversees CAPTAIN WEST JR. AND ALSO Deputy Director Redmond IN WHICH HE RECEIVE WEEKLY STATUS UPDATES AND HAS THE FINAL APPROVAL OR DENIAL OF OPERATIONS. IT HAS BEEN RELAYED BY OFFICERS WHO ATTENDS THIS MDT MEETING THAT DIRECTOR Michael Myers IS THE SOLE PERSON DENYING MY RELEASE FROM CONFINEMENT. HE HAS AWARDED ME WITH A HEARING, NOTICE, OR OPPORTUNITY TO BE HEARD EITHER. HE HAS DEPRIVED ME OF MY PROCEDURAL DUE PROCESS.

(IV.)

#### STATEMENT OF CLAIM:

D) CONTINUE FROM PAGE 5

... NO DISCIPLINARY REPORTS FOLLOWED IN THE FOLLOWING DAYS OR WAS I ALLOWED TO ATTEND ANY HEARINGS. AS I WRITE THIS CIVIL RIGHTS COMPLAINT, THE DAY IS MAY 23RD, 2025 AND STILL I HAVE YET TO BE TOLD WHAT I'VE DONE, ATTENDED ANY HEARINGS IN REGARDS TO MY PLACEMENTS OR EVEN WHEN I'LL BE RELEASED FROM CONFINEMENT. MY PRIVILEGES HAS BEEN TAKEN AND IM ONLY ALLWETD ONE HOUR OUT A DAY. I HAVE COMPLETED THE RECOMMENDED PROGRAMING TO BE RETURNED BACK TO GENERAL POPULATION. I HAVE NOT BEEN VICIENT NOT UNCE WHILE AWAITING TRIAL. I'VE SEEN EVERYONE (INMATES) COMPLETE THE PROGRAM SUCH AS MYSELF AND HAVE BEEN RELEASED BACK TO GENERAL POPULATION. THE JOIL IS treating ME IN A WAY THAT IS MUCH WORSE THEN IS NORMAL FOR PRISONERS/ DETAINERS. I SHOULD HAVE RECEIVED MORE PROCEDURE THAN I GOT FOR MY CIRCUMSTANCES.



KYE MOSS #2086499  
Douglas County  
Department of Corrections  
710 South 17<sup>th</sup> Street  
OMAHA, NEBRASKA 68102



quodent  
FIRST-CLASS MAIL  
IM1  
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DISTRICT OF NEBRASKA

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